



PATENT  
450101-02687

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Yoichiro Asato  
Serial No. : 09/831,328  
For : DATA RECORDING/REPRODUCING APPARATUS AND METHOD  
Filed : May 7, 2001  
Examiner : Nguyen, Huy Thanh  
Art Unit : 2621

745 Fifth Avenue  
New York, NY 10151  
Tel: 212-588-0800

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required.  
☒ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

**Claims as Amended**

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	17	Minus	20	x	\$50 (25)	= \$0.00
Independent claims	3	Minus	3	x	\$200 (100)	= \$0.00
Total additional fee for this amendment						\$0.00

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☒ This response is being filed within the first month following the expiration of the term originally set therefor. This is a petition to request a one-month extension of time. A check covering the cost of the petition is enclosed.
- ☒ A check in the amount of \$120.00 is attached, which covers the cost of the ☐ additional claims ☒ petition for extension of time.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

EXPRESS MAIL  
Mailing Label Number: EV845294598US  
Date of Deposit: November 21, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

*Barnet Shindelman*

Typed or Printed Name of Person Mailing Paper or Fee

*Paul A. Levy*  
Signature of Person Mailing Paper or Fee

FROMMER LAWRENCE & HAUG, LLP  
Attorneys for Applicant(s)

By: Paul A. Levy  
Reg. No. 45,748  
Tel. (212) 588-0800



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Barnet Shindlman  
(Typed or printed name of person mailing paper or fee)

Barnet Shindlman  
(Signature of person mailing paper or fee)

**PRELIMINARY AMENDMENT FILED WITH  
REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a one-month extension to reply to the Notice of Appeal  
filed August 24, 2006 having an extended date for reply of November 24, 2006. Enclosed is a

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02 FC:1251

120.00 OP

check in the amount \$120.00 for the extension-of-time fee. Applicants respectfully submit a request for continued examination (RCE) and this preliminary amendment.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.